UNITED NATIONS

General Assembly

FORTY-EIGHTH SESSION

Official Records

THIRD COMMITTEE
50th meeting
held on
Friday, 3 December 1993
at 3 p.m.
New York

SUMMARY RECORD OF THE 50th MEETING

Chairman: Mr. KUKAN (Slovakia)

later: Mr. VAN DER HEIJDEN (Netherlands)
(Vice-Chairman)

CONTENTS

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

AGENDA ITEM 172: NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS (continued)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/48/SR.50
23 February 1994
ENGLISH
ORIGINAL: FRENCH

93-82837 (E)

The meeting was called to order at 3.25 p.m.

Expression of condolences

1. The CHAIRMAN said that it was his sad duty to announce the death of Mr. Julián Palacios, who had been a very active member of the Spanish delegation in the Third Committee, and invited the members of the Committee to observe a minute of silence in his memory.

2. Mr. YAÑEZ BARNUEVO (Spain) thanked, on behalf of the entire Spanish delegation, the Chairman, the Bureau and all the members of the Third Committee for their gesture of profound sympathy on the sudden and premature death of Mr. Julián Palacios. Just a few hours earlier Mr. Palacios had been working with his usual boundless energy in Spain's Ministry of Foreign Affairs to advance the cause of human rights throughout the world, as he had done previously at the Permanent Mission of Spain to the United Nations Office at Geneva. He would convey to the Spanish Government and to the family of the deceased the condolences of the Third Committee of the General Assembly.

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/48/L.53, L.61 and L.67)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/48/L.38, L.42-50, L.52, L.54-56, L.59, L.60, L.63, L.64, L.66, L.69, L.71, L.76 and L.77)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/C.3/48/L.36, L.51, L.57, L.58, L.62, L.65, L.68, L.70 and L.72-75)

AGENDA ITEM 172: NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS (continued) (A/C.3/48/L.39 and L.40)

Draft resolution A/C.3/48/L.36

3. Mr. COHEN (United States of America), introducing draft resolution A/C.3/48/L.36, entitled "Situation of human rights in Cuba", said that the draft focused on the Cuban Government's failure both to guarantee to the people of Cuba the free exercise of their basic rights and to cooperate in any way in the implementation of the decisions of the General Assembly or in the fulfilment of the mandate of the Commission on Human Rights.

4. The importance which the international community attached to the question of human rights in Cuba, or anywhere else in the world, was legitimate. Many countries had endorsed the Special Rapporteur's appeal to the Cuban Government

(Mr. Cohen, United States)

to make changes which would result in compliance by that country with the most basic international standards in the area of human rights.

5. His delegation intended to make a number of technical revisions to the text of the draft resolution, which would then be circulated as document A/C.3/48/L.36/Rev.1. The penultimate paragraph of the preamble would be deleted. The text of the last preambular paragraph would be revised so as to refer to the documentation relating to the Special Rapporteur's interim report for the current rather than the previous year. The preambular paragraph in question would thus read: "Recalling the failure of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1992/61 by refusing to permit the Special Representative to visit Cuba, and its response, as cited in appendix II to the 1993 interim report of the Special Rapporteur, in which Cuba stated 'we emphatically reject resolution 1992/61 and accordingly, we cannot cooperate in its implementation in any way'".

6. Lastly, his delegation had a technical revision to make to paragraph 4 relating to the title of the report in document E/CN.4/1993/39. The paragraph in question would be revised to read: "Regrets profoundly the numerous uncontested reports of violations of basic human rights and fundamental freedoms that are described in the report to the Commission on Human Rights of the Special Rapporteur and in the interim report of the Special Rapporteur of the Commission on Human Rights".

7. The sponsors of the draft resolution (Australia, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, the Gambia, Germany, Hungary, Iceland, Ireland, Japan, Luxembourg, Netherlands, Norway, Poland, Portugal, the Republic of Moldova, Romania, Sweden, the United Kingdom and the United States) believed that the text was very similar to General Assembly resolution 47/139 and took into account the interim report of the Special Rapporteur (A/48/562), and they therefore commended it to the Committee for adoption.

Draft resolution A/C.3/48/L.38

8. The CHAIRMAN announced that Afghanistan, Georgia, Myanmar, the Philippines and Tajikistan had become sponsors of draft resolution A/C.3/48/L.38, entitled "World Conference on Human Rights".

9. Mrs. KOFLER (Austria) said that Barbados, Bolivia, Chile, France, Kazakhstan, Solomon Islands, Spain, the United Kingdom and Viet Nam had become co-sponsors of the draft resolution. The very large number of sponsors reflected the importance the international community attached to the results of the World Conference on Human Rights held in Vienna. The text of the draft had been finalized in consultation with a large number of delegations, in the same spirit of constructive cooperation that had guided the work of the Conference.

10. In operative paragraph 2, the General Assembly endorsed the Vienna Declaration and Programme of Action. The draft resolution also referred to finding ways to distribute as widely as possible the final document of the Conference, which could be seen as a model upon which human rights activities

(Mrs. Kofler, Austria)

might draw inspiration in future years. The draft resolution proposed setting up a structure for follow-up to the Conference. In it, the General Assembly called on all States and other organs and agencies related to human rights to take further action with a view to the full implementation of all recommendations of the Conference. It also requested the Secretary-General to report annually to it on the measures taken and the progress achieved. Finally, the draft resolution provided for consideration, under a sub-item of the agenda item on human rights questions entitled "Comprehensive implementation and follow-up to the Vienna Declaration and Programme of Action", of the progress achieved in the implementation of the Conference's recommendations. Her delegation hoped that the Third Committee, in keeping with the spirit of Vienna, would adopt the draft resolution without a vote.

Draft resolution A/C.3/48/L.39

11. The CHAIRMAN said that Australia and Cambodia had become co-sponsors of draft resolution A/C.3/48/L.39, entitled "Need to adopt efficient international measures for the prevention of the sale of children, child prostitution and child pornography".

12. Mr. ROSENBERG (Ecuador), introducing draft resolution A/C.3/48/L.39 on behalf of the Group of Latin American and Caribbean States, of which he was the chairman for the current month, said that the draft resolution recommended the adoption of effective measures for the protection of children who were victims of especially difficult circumstances. In order to put an end to the practices condemned in the draft, the Commission on Human Rights was asked to consider, as a matter of priority, during its fiftieth session, the creation of a working group to study the elaboration of guidelines of a possible draft convention aimed at eradicating all practices that were harmful to the development of the child, in particular, child prostitution and child pornography. Given the extent of those practices and of the need to adopt specific emergency measures to eliminate them, the Special Rapporteur of the Commission on Human Rights was asked to submit to the General Assembly at its forty-ninth session a provisional report on the factors that influenced those practices.

13. Some delegations had proposed amendments to the text of the draft resolution. The word "abductions" should be added to the seventh preambular paragraph, so that the paragraph would read as follows: "abandonment, kidnapping and abductions of children for commercial purposes". It was also suggested that operative paragraph 6 be replaced by the following text:

> "Requests the Commission on Human Rights to consider, during its fiftieth session, the creation of a working group to study, as a matter of priority, the elaboration, in close contact with the Special Rapporteur, of the outlines of a possible draft convention on the issues related to the sale of children, child prostitution and child pornography, as well as the basic measures required for preventing and eradicating these serious problems;".

(Mr. Rosenberg, Ecuador)

14. It was also proposed that a new paragraph 6 bis be added that would read as follows:

> "Requests the Centre for Human Rights to transmit the content of the preceding paragraph to the Committee on the Rights of the Child so that it can express its comments;".

15. Finally, in the third line of operative paragraph 9, the words "which will be established by" should be replaced by the word "of".

16. Côte d'Ivoire, Guinea-Bissau, Morocco, Mongolia and the Philippines had become co-sponsors of the draft resolution, which the sponsors hoped would be adopted without a vote.

17. Mrs. KUMELA (Ethiopia) and Mr. KONKOBO (Burkina Faso) joined the sponsors of the draft resolution.

Draft resolution A/C.3/48/L.40

18. The CHAIRMAN said that Australia, Austria, Belgium, Cambodia, Denmark, Finland, France, Iceland, Ireland, Norway, Portugal, Solomon Islands, Spain and Sweden had become co-sponsors of draft resolution A/C.3/48/L.40, entitled "Protection of children affected by armed conflicts".

19. Mr. ROSENBERG (Ecuador), introducing draft resolution A/C.3/48/L.40 on behalf of the Group of Latin American and Caribbean States, said that the sponsors had referred to the legal framework provided by the Geneva Conventions of 1949, the Convention on the Rights of the Child of 1989 and the two Additional Protocols of 1977 to the Geneva Conventions, instruments which guaranteed special protection of children in times of armed conflict. The need to preserve the physical wholeness and mental health of those children and to treat the traumas caused by those conflicts was so important that the General Assembly should take a position on the issue and request the Secretary-General to submit to it a report on the subject at its forty-ninth session.

20. Some sponsors had suggested amendments to the text. In paragraph 7 of the English version, the phrase "to prevent children from being affected by armed conflicts" should be inserted after the words "ways and means". In the same paragraph, the following text should be inserted after the phrase "measures to ensure effective protection of these children": "including against indiscriminate use of all weapons of war, especially anti-personnel mines". In addition to the Latin American and Caribbean countries, Angola, Bosnia and Herzegovina, Côte d'Ivoire, Guinea-Bissau, Mongolia, Morocco and Namibia had joined the sponsors. They hoped that the draft resolution would be adopted without a vote.

21. Mrs. KUMELA (Ethiopia) and Mr. KONKOBO (Burkina Faso) said that their delegations wished to join the sponsors of the resolution.

Draft resolution A/C.3/48/L.42

22. The CHAIRMAN announced that Albania and Guatemala had joined the sponsors of draft resolution A/C.3/48/L.42 entitled "Human rights and terrorism".

23. Mr. BATU (Turkey), introducing draft resolution A/C.3/48/L.42, announced that Colombia, Kazakhstan, Nigeria and Tajikistan had also joined the sponsors. The World Conference on Human Rights had provided an opportunity to introduce some new elements into United Nations mechanisms for the elimination of human rights violations. Thus, in paragraph 17 of the Vienna Declaration, terrorism was viewed as a violation of human rights and any justification of terrorism was made impossible. The World Conference had considered that, along with torture, summary and arbitrary execution, racism, intolerance and the lack of the rule of law, terrorism constituted an obstacle to the exercise of human rights and a violation of those rights. The wording of paragraph 17 of the Vienna Declaration and Programme of Action was essentially based on articles 3 and 30 of the Universal Declaration of Human Rights. By adopting it by consensus, the World Conference had wished to demonstrate that the international community absolutely condemned terrorism and branded it a gross violation of human rights and fundamental freedoms.

24. The purpose of the draft resolution was to reaffirm the message of Vienna. It was related conceptually to the right to life. Random massacre of innocent civilians was the most common terrorist practice. The purpose was to terrorize public opinion, undermine pluralist civil society, which was kept in a state of shock. Failure to condemn human rights violations perpetrated by terrorists would allow them to justify continuing their activities, which were intended to destroy human rights, fundamental freedoms and democracy, threaten the territorial integrity and security of States, destabilize legitimately constituted Governments, and adversely affect economic and social development. The draft resolution was a compromise text based mainly on the agreed language of the Vienna Declaration. The sponsors had been unable to reflect some comments concerning self-determination and the view that terrorism was not a violation of human rights but their destruction. On the first point, the principle of self-determination, which his delegation fully respected, was not relevant to the conceptual framework of the draft, which dealt with the human rights violation represented by terrorism. As for the second point, it was difficult to accept that a right could be destroyed without first having been violated.

25. The right to life was the most essential and basic human right, and the draft resolution emphasized the dimension of terrorism that had to do with the violations of human rights and, in particular, of the right to life. The sponsors were convinced that the international community would adopt a position that would deter terrorist groups from continuing their indiscriminate acts of violence and terror, thus showing solidarity with their victims. They urged the adoption of the draft without a vote.

Draft resolution A/C.3/48/L.43

26. Mrs. SILVERA (Cuba), introducing draft resolution A/C.3/48/L.43 entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms", said that the text reproduced, with some minor modifications, the one which the General Assembly had adopted at its previous session. The draft recalled the principles and criteria to be taken into consideration when examining any question concerning human rights. It reaffirmed that the implementation of the right to development was an indispensable element in the process of creating the appropriate conditions for the full enjoyment and preservation of all human rights and fundamental liberties (seventh preambular paragraph), that the right to development was an inalienable human right and that equality of development opportunities was a prerogative both of nations and of individuals within nations. The operative part of the resolution reaffirmed that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and economic, social and cultural rights, by strengthening cooperation in that area. The sponsors hoped that it would be adopted without a vote.

Draft resolution A/C.3/48/L.44

27. Ms. VALLE (Cuba), introducing draft resolution A/C.3/48/L.44 entitled "Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes", said that, in the tenth preambular paragraph, the phrase "resolution 46/130 of 17 December 1991" should be replaced by "resolution 47/130 of 18 December 1992". The subject addressed in the draft, whose text closely followed that of the draft considered at the previous General Assembly session, remained of cardinal importance to its sponsors. In paragraph 4, they reaffirmed that there was no universal need for the United Nations to provide electoral assistance to Member States, except in special circumstances such as cases of decolonization, or at the request of specific sovereign States. The draft under consideration, however, added to the previous draft by affirming that States should establish the necessary mechanisms and means to guarantee full popular participation in electoral processes. All States must respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social systems. Finally, it called upon the Commission on Human Rights to continue giving priority to the review of the fundamental factors that negatively affected the observance of the principle of national sovereignty and non-interference in the internal affairs of States in their electoral processes, and requested the Secretary-General to report to the General Assembly on the implementation of the proposed resolution. Its sponsors hoped that the General Assembly would adopt the draft resolution, just as it had adopted the drafts submitted on the subject at previous sessions.

28. Mr. JALLOW (Gambia) said that his country wished to become a sponsor of the draft resolution.

Draft resolution A/C.3/48/L.45

29. Mrs. SILVERA (Cuba), introducing draft resolution A/C.3/48/L.45, entitled "Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity", said that the text was largely similar to that of the resolution which the General Assembly had adopted without a vote at its previous session. The draft resolution reaffirmed the importance of applying the principles of non-selectivity, impartiality and objectivity when considering human rights issues. It also reaffirmed in paragraph 1, that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples had the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State had the duty to respect that right within the provisions of the Charter, including respect for territorial integrity.

30. The sponsors had introduced a minor change in paragraph 6, replacing, in the Spanish text, the words "en particular" with the words "así como". Paragraph 8 underlined the continuing need for impartial and objective information on the political, economic and social situations and events in all countries so that the criteria in question could be legitimately applied when evaluating the human rights situation of a given country and the implementation of the relevant instruments. Lastly, the sponsors of the draft resolution requested that the matter should be considered at the forty-ninth session of the General Assembly under the item entitled "Human rights questions".

31. Mr. SHARP (Australia), referring to paragraph 6 of the English version, asked if the words "in particular" should be replaced by the words "as well as".

32. The CHAIRMAN, after an affirmative nod from the representative of Cuba, confirmed that that was the case.

Draft resolution A/C.3/48/L.46

33. Mr. BATU (Turkey), introducing draft resolution A/C.3/48/L.46, entitled "United Nations year for tolerance", said that the idea of proclaiming a United Nations year for tolerance had been launched at the twenty-sixth session of the General Conference of the United Nations Educational, Scientific and Cultural Organization and had been taken up again by the General Assembly in its resolution 47/124 of 18 December 1992 as well as by the Economic and Social Council in its resolution 1993/57 of 29 July 1993. In view of the new period of transition in international relations which was often marked by tragic events stemming largely from intolerance, mankind needed not only political decisions but a new vision of a peaceful future for all, without regard for religion or ethnic origin. Tolerance was a prerequisite for the attainment of that vision, which would be strengthened by the proclamation of a year devoted to that concept. Since the draft resolution proclaiming 1995 the United Nations year for tolerance had no programme budget implications for the Organization, its sponsors hoped that it would be adopted without a vote.

Draft resolution A/C.3/48/L.47

34. Mrs. CASTRO de BARISH (Costa Rica), introducing draft resolution A/C.3/48/L.47, entitled "Human rights education decade", announced that Guatemala and Senegal had become sponsors of the draft resolution. She also wished to draw attention to a number of revisions that had been made to the text. In the fourth preambular paragraph, after the words "children, women," the words "young persons and the ageing," should be inserted, which would then be followed by "indigenous peoples, minorities, the disabled and others." In paragraph 4, the wording of the Spanish version should be slightly modified. In paragraph 5, the expression "la esfera de" should be deleted from the second line of the Spanish text. The sponsors hoped that the draft resolution would be adopted by consensus.

35. Mrs. KABA (Côte d'Ivoire) said that the translation into French of the name of the decade was unsatisfactory and should be changed. Instead of "Décennie pour l'enseignement des droits de l'homme", she proposed a title closer to the English and Spanish ones: "Décennie pour l'éducation en matière de droits de l'homme". In French, "éducation" was a broader and deeper idea than "enseignement"; the draft resolution was intended to change attitudes and behaviour on all levels of society, and should not be confined to the sort of "teaching" done at schools or universities.

36. Mrs. KUMELA (Ethiopia), Mr. JALLOW (Gambia), Mr. ZIMBA (Mozambique), Mr. STREJCZEK (Poland) and Miss MANSARAY (Sierra Leone) said that their countries wished to become sponsors of the draft resolution.

37. Mr. BOISSON (Monaco) said that he wished to join in sponsoring the draft resolution and strongly supported the request made by the representative of Côte d'Ivoire.

Draft resolution A/C.3/48/L.48

38. The PRESIDENT announced that Georgia had become a sponsor of draft resolution A/C.3/48/L.48, entitled "Elimination of all forms of racial intolerance".

39. Mr. BIGGAR (Ireland) said that Israel had also become a sponsor; introducing the draft resolution, he said that a number of corrections had been made in the various versions of the text. In the Arabic version, the title had been omitted. In paragraph 4 of the French version, the phrase "y compris ceux qui sont motivés par l'extrémisme religieux", which appeared in the English version, should be added after the words "actes de violence". In paragraph 4 of the Spanish version, a comma should be added after the words "por el extremo religioso". He called on all delegations to adopt the draft resolution by consensus.

Draft resolution A/C.3/48/L.50

40. The PRESIDENT announced that Argentina, Armenia, Australia, Austria, Belgium, Brazil, China, Costa Rica, France, Mexico, Spain and Uruguay had become sponsors of draft resolution A/C.3/48/L.50, entitled "Right to development".

41. Mr. SUPANDY (Indonesia), introducing the draft resolution on behalf of the States Members of the United Nations who were also members of the Movement of Non-Aligned Countries, announced that Denmark and Norway had also become sponsors. He pointed out that in the Spanish version of the document, the title had been omitted. The draft resolution emanated from the consensus reached at the World Conference on Human Rights in Vienna and recalled the progress made during the year, noting in particular the establishment by the Commission on Human Rights at its forty-ninth session of a working group on the right to development which was to submit an annual report on the subject to the Commission. He hoped that, as in the past, the draft resolution would be adopted by consensus.

42. Mrs. ALVAREZ (Dominican Republic) said that her delegation wished to become a sponsor of the draft resolution.

Draft resolution A/C.3/48/L.51

43. The PRESIDENT announced that Albania had become a sponsor of draft resolution A/C.3/48/L.51, entitled "Rape and abuse of women in the territory of the former Yugoslavia".

44. Mr. UMER (Pakistan) said that the draft resolution aimed to draw the international community's attention to one of the most obnoxious aspects of the armed conflict taking place in Bosnia and Herzegovina. Although in the history of humankind there had been very few instances of aggressors using rape as a weapon of war, thousands of Bosnian women had been subjected to such criminal acts, which were intended to change the demographic composition of many regions in the former Yugoslavia, particularly Bosnia and Herzegovina. To enable the draft resolution to be adopted by consensus, Pakistan had agreed to revise a number of paragraphs. In the fourth preambular paragraph the words "widespread rape and abuse of women and children" should be followed by the words "in the areas of the armed conflict". In the eleventh paragraph the reference to document E/CN.4/1994/47 should be deleted. In the twelfth paragraph the expression "in particular in the former Yugoslavia" should be replaced by "in particular in the Republic of Bosnia and Herzegovina" and the word "instrument" by the word "weapon", and the inverted commas should be deleted. The thirteenth paragraph should be deleted and replaced by the following text: "Desirous of ensuring that persons accused of upholding and perpetrating crimes of rape as a weapon of war in the areas of the armed conflict in the former Yugoslavia will be brought to justice by the International Tribunal". In the fourteenth paragraph the words "to provide assistance and compensation to those victims" should be added after the word "response". In operative paragraph 1 the words "women and children" should be followed by the words "in the areas of the armed conflict" and "in the circumstances" should be deleted. In paragraph 2 the following phrase should be added after "as a weapon of war": "as an instrument

(Mr. Umer, Pakistan)

of ethnic cleansing against the women and children in the areas of the armed conflict in the former Yugoslavia, in particular against Muslim women and children in Bosnia and Herzegovina". The rest of the paragraph should be deleted. In paragraph 7 the reference to document E/CN.4/1994/47 should be omitted. Paragraph 9 should be replaced by the following paragraph: "Invites the Centre for Human Rights to request the Special Rapporteur to continue its investigation into the rape and abuse of women and children in the areas of the armed conflict in the former Yugoslavia, in particular in the Republic of Bosnia and Herzegovina". Paragraph 10 should be replaced by the following paragraph: "Determines that rape is a heinous crime and encourages the International Tribunal to give due priority to the cases of the victims of rape in the areas of the armed conflict in the former Yugoslavia, in particular in the Republic of Bosnia and Herzegovina". Paragraph 13 should be replaced by the following words: "Decides to continue the consideration of this question at its forty-ninth session".

45. Mrs. MBELLA NGOMBA (Cameroon), Mrs. CASTRO de BARISH (Costa Rica), Mr. JALLOW (Gambia) and Mrs. ALVAREZ (Dominican Republic) said their delegations wished to become sponsors of the draft resolution.

Amendments (A/C.3/48/L.52) to draft resolution A/C.3/48/L.42

46. Mr. UMER (Pakistan), introducing the proposed amendments to draft resolution A/C.3/48/L.42 (entitled "Human rights and terrorism"), which were set out in document A/C.3/48/L.52, said that the rationale behind the proposed amendments was to reflect the distinction made by the international community between acts of terrorism and the legitimate struggle of people for self-determination, as was reflected in the resolutions adopted by the General Assembly, particularly General Assembly resolution 46/51 of 9 December 1991, and the extremely clear statement on the matter at the Summit Meeting of the Non-Aligned Movement in Jakarta. That distinction emanated from a concern not to compromise the sanctity of a fundamental right, of which colonial empires and aggressors had constantly deprived oppressed peoples desiring to regain their freedom, by accusing them of acts of terrorism. Pakistan was in full agreement with the message of the initial draft resolution, which had firmly condemned all acts of terrorism. It felt it necessary, however, to reaffirm, in line with all international pronouncements and earlier resolutions on the issue, that the struggle for self-determination should not be confused with terrorism. Indeed the language of the amendments fully reflected the international consensus, reaffirming General Assembly resolution 46/51 and the Declaration adopted by the World Conference on Human Rights. His country therefore hoped that the proposed amendments would be adopted without a vote.

Draft resolution A/C.3/48/L.53

47. The CHAIRMAN announced that Romania had become a sponsor of draft resolution A/C.3/48/L.53, entitled "International covenants on human rights".

48. Ms. LAHNALAMPI (Finland), introducing the draft, said she hoped that it would be adopted by consensus, as in the past.

Draft resolution A/C.3/48/L.54

49. The CHAIRMAN announced that Antigua and Barbuda, Dominica and Fiji had become sponsors of draft resolution A/C.3/48/L.54, entitled "International Decade of the World's Indigenous People".

50. Mr. WILLIS (Australia), introducing the draft resolution, of which Brazil also wished to be a sponsor, said that in paragraph 9 of the draft the phrase "taking fully into account through appropriate channels the views of indigenous people" should be deleted and the words "with Governments and in partnership with indigenous people" should be added after the words "to consider" in the second line. The draft resolution aimed to follow up the recommendations of the World Conference on Human Rights in Vienna and to keep up the momentum on the International Year of the World's Indigenous People as it drew to a close. There had been extensive and intensive consultations on the draft and a compromise had been reached on, among other issues, the use of the word "people" rather than "peoples". Although it was convinced that the plural conveyed better the idea of collective identity and the strong will of indigenous people throughout the world, Australia had agreed to the use of the singular, to take account of the various legal implications of the singular and the plural where self-determination was concerned. It reserved the right to defend its point of view before the bodies responsible for scrutinizing such implications; if those bodies ruled in favour of the plural it would be possible for the General Assembly to amend the title of the Decade accordingly. It strongly encouraged delegations to adopt the draft resolution by consensus.

51. Mr. MAINO (Papua New Guinea), Miss MANSARAY (Sierra Leone), Mr. ROSENBERG (Ecuador), Ms. LIMJUCO (Philippines) and Mr. JALLOW (Gambia) said that their delegations wished to become sponsors of the draft.

Draft resolution A/C.3/48/L.55

52. The CHAIRMAN announced that Israel, Rwanda and Yemen had become sponsors of draft resolution A/C.3/48/L.55, entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

53. Mr. KUEHL (United States of America), introducing the draft on behalf of its sponsors, which had been joined by Armenia and San Marino, welcomed the large number of countries sponsoring a draft which had been the subject of debate two years earlier. He saw it as a recognition of the positive role played by the United Nations in assisting with national elections at the request of Member States.

54. He expressed his gratitude to the Electoral Assistance Unit of the Secretariat, which had greatly contributed to promoting freedom and democracy in many developing countries, and to the Secretary-General, who had had the idea of establishing the Unit at the beginning of 1992. Substantial changes had been made in the text adopted at the forty-seventh session. In that connection, he drew attention to the second preambular paragraph, on the strengthening of institutions, which was inspired by the Vienna Declaration and Programme of

(Mr. Kuehl, United States)

Action, and to paragraphs 3 and 4. The sponsors hoped that the resolution would be adopted without a vote.

55. Mr. MZUMACHARO (Malawi) and Miss KUMELA (Ethiopia) said that their delegations wished to join the sponsors of the draft resolution.

Draft resolution A/C.3/48/L.56

56. The CHAIRMAN announced that France and Georgia had become sponsors of draft resolution A/C.3/48/L.56, entitled "Strengthening of the rule of law".

57. Mr. GAMA (Brazil), introducing the draft resolution on behalf of the sponsors, who had been joined by Guatemala, Peru and Uruguay, said that for the first time the General Assembly was considering a text on the question of strengthening the rule of law. The Commission on Human Rights had been studying the subject since its forty-eighth session. In its resolutions 1992/51 and 1993/50, which had been adopted by consensus, the Commission had requested the Preparatory Committee for the World Conference on Human Rights to consider ways and means by which the United Nations system could make a more significant contribution to the strengthening of the rule of law in Member States in order to promote and protect human rights and fundamental freedoms.

58. Paraphrasing the last preambular paragraph and paragraphs 1 and 2 of the draft resolution, he said that its basic aim was to support the recommendations of the World Conference on Human Rights and to reiterate the request to the Secretary-General contained in paragraph 70 of the Vienna Declaration and Programme of Action, as set out in paragraph 3 of the draft resolution.

59. The text set out the major points of a programme of constructive international cooperation in the field of human rights. The importance of the rule of law and the proper functioning of national institutions that guaranteed it derived from the Universal Declaration of Human Rights. In their draft resolution, the sponsors had stressed the difficulties encountered by Governments that wished to ensure respect for and promote human rights but lacked the necessary human, material and financial resources; that was particularly the case in the developing countries.

60. The sponsors had been led by a spirit of collaboration, and were persuaded that the United Nations system must, as a matter of urgency, take effective measures to aid countries in strengthening the rule of law and overall respect for human rights and fundamental freedoms. He hoped that the text would be adopted by consensus.

61. Mr. STEFANOV (Bulgaria), Mrs. CASTRO de BARISH (Costa Rica), Mr. MZUMACHARO (Malawi), Mr. JALLOW (Gambia) and Ms. LIMJUCO (Philippines) said that their delegations wished to become sponsors of the draft.

Draft resolution A/C.3/48/L.57

62. The CHAIRMAN announced that Japan and Romania had become sponsors of draft resolution A/C.3/48/L.57, entitled "Situation of human rights in Iraq".

63. Mr. VAN DE CRAEN (Belgium), introducing the draft on behalf of the European Union and the other sponsors, which had been joined by Panama and San Marino, said that the Commission on Human Rights, in its resolution 1993/74, had, inter alia, requested its Special Rapporteur to submit an interim report on the situation of human rights in Iraq to the General Assembly at its forty-eighth session.

64. Paraphrasing paragraphs 2, 3, 7, 9, 11 and 13 of the draft, he appealed to the Iraqi authorities to give concrete evidence of their willingness, which they had often expressed, to ratify a number of international legal instruments in the field of human rights, to collaborate fully with the Special Rapporteur, and, in keeping with the spirit and the letter of the Vienna Declaration, to join the entire international community in its efforts to ensure respect for and promotion of human rights throughout the world. The sponsors hoped that the draft would be adopted without a vote.

Draft resolution A/C.3/48/L.58

65. Mr. NOTERDAEME (Belgium) introduced draft resolution A/C.3/48/L.58, entitled "Situation of human rights in the Islamic Republic of Iran", on behalf of the European Union and the other sponsors, which had been joined by San Marino. He said that the draft was similar to previous resolutions, including General Assembly resolution 47/146, Commission on Human Rights resolution 1993/62 and resolution 1993/14 of the Subcommission on Prevention of Discrimination and Protection of Minorities. The text referred to the observations of the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the human rights situation in the Islamic Republic of Iran.

66. After paraphrasing paragraphs 1, 2, 3, 6 and 12 of the draft, he said that he hoped it would be adopted without a vote.

Draft resolution A/C.3/48/L.60

67. The CHAIRMAN announced that the Philippines had joined the sponsors of draft resolution A/C.3/48/L.60, entitled "International Year for the World's Indigenous People 1993".

68. Ms. LAMARRE (Canada), introducing the draft on behalf of the sponsors, who had been joined by Antigua and Barbuda, Cuba, Denmark, Ecuador, Nicaragua and Senegal, said that the text had been amended in order to update it, to ensure that the innovations and cooperation did not end with the International Year, to provide the opportunity to prepare a plan of action and a financial plan for the International Decade of the World's Indigenous People, to stress the need for planning tools, to take note of the efforts of all States and indigenous

(Ms. Lamarre, Canada)

communities to celebrate the International Year, and to acknowledge the contributions of all participants in activities under the Year.

69. A balanced approach encompassing human rights and economic, social and cultural elements was the only way to achieve lasting benefits for indigenous communities by the end of the decade. Action and funding plans, tied to those objectives, would be the first measurable indicators.

Draft resolution A/C.3/48/L.61

70. The CHAIRMAN announced that the United Kingdom had become a sponsor of draft resolution A/C.3/48/L.61, entitled "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights".

71. Ms. LAMARRE (Canada), introducing the draft resolution on behalf of its sponsors, said that as recently confirmed in the Vienna Declaration and Programme of Action, the effective functioning of the human rights treaty body system was essential to ensuring universal respect for human rights.

72. She recalled that at its forty-seventh session, the Committee had asked the Secretary-General to take the appropriate measures to provide financing from the United Nations regular budget for the two committees established under the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. She stressed the importance of that decision for the promotion and protection of human rights.

73. Citing paragraph 2 of the draft, she expressed the hope, on behalf of the sponsors, that it would be adopted without a vote.

74. Mrs. MBELLA NGOMBA (Cameroon) said that her delegation wished to become a sponsor of the draft resolution.

Draft resolution A/C.3/48/L.62

75. The CHAIRMAN said that Canada and Georgia had become sponsors of draft resolution A/C.3/48/L.62, entitled "Situation of human rights in Somalia".

76. Mrs. MORENSKI (United States of America), introducing the draft on behalf of its sponsors, which had been joined by Armenia, Belgium, Denmark, France, Germany, Greece, Iceland, Morocco, Netherlands, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Spain, Sweden and the United Kingdom, said that the draft under consideration was a new resolution, which was warranted because of the growing number of human rights violations in Somalia. The resolution had been drafted in response to a report submitted by the Independent Expert appointed by the Secretary-General pursuant to Commission on Human Rights resolution 1993/86, which had been adopted by consensus. In his report, the Expert had expressed concern about the deaths of civilians, United Nations personnel and relief workers.

(Mrs. Morenski, United States)

77. After paraphrasing the final preambular paragraph and paragraphs 2, 3, 4 and 5 of the draft, she said that if the Somali parties did not confirm their commitment to disarm, it would be practically impossible to set up a legitimate and responsible government which could re-establish the infrastructure and public services and protect the human rights and fundamental freedoms of all Somalis. The draft resolution was proof that the international community attached great importance to the right of the Somali people to live in peace and security, in accordance with the principles of the Charter of the United Nations and the Universal Declaration of Human Rights.

78. She thanked the delegations which had helped draft the text and said she hoped that it would be adopted by consensus.

79. Miss KUMELA (Ethiopia) said that her country had become a sponsor of the draft resolution.

Draft resolution A/C.3/48/L.63

80. The CHAIRMAN said that Australia, France and the United Kingdom had become sponsors of draft resolution A/C.3/48/L.63, entitled "National institutions for the promotion and protection of human rights".

81. Mrs. MURUGESAN (India), introducing the draft resolution on behalf of its sponsors, which had been joined by Bulgaria, the Gambia, Nepal and New Zealand, said that the Universal Declaration of Human Rights and the international human rights covenants had established a framework for the enjoyment of human rights. The World Conference on Human Rights, held in Vienna, had reaffirmed the importance accorded by the international community to all human rights.

82. The principles relating to the status of the national institutions, contained in the annex to the draft resolution, were only a general framework. After paraphrasing the final preambular paragraph, and paragraphs 2 and 12 of the text, she said that the draft encouraged countries to exchange experiences in the domain in question. She called the Committee members' attention to paragraphs 6 and 9 of the text, and said that the final preambular paragraph had been revised: in the second line, the words "the universality, indivisibility and interdependence of all human rights" should be inserted after "emphasizing". The sponsors of the draft resolution hoped that it would be adopted by consensus.

Draft resolution A/C.3/48/L.64

83. The CHAIRMAN said that the United States had become a sponsor of draft resolution A/C.3/48/L.64 entitled "Internally displaced persons".

84. Mr. SEIM (Norway), announcing that Azerbaijan had become a sponsor of the draft resolution, said that there were 25 to 30 million displaced persons in the world. However varied and complex the causes, the suffering those individuals had to face was often similar. The general aim of the draft resolution was to endorse the efforts of the Secretary-General's representative and to encourage

(Mr. Seim, Norway)

him in his task. After placing particular emphasis on the fifth and sixth preambular paragraphs and paragraphs 1, 2, 3 and 5 of the text, he expressed the hope, on behalf of the sponsors, that the draft resolution would be adopted without a vote.

85. Mr. ZIMBA (Mozambique), Mr. VOLSKI (Georgia) and Mrs. DROZD (Belarus) said that their delegations had become sponsors of the draft resolution.

86. Mr. GUILLEN (Peru) said that his Government had followed with particular interest the observations and reports submitted to the Commission on Human Rights concerning the issue of internally displaced persons, which called for special cooperation. His country wished to sponsor the draft resolution.

Draft resolution A/C.3/48/L.65

87. The CHAIRMAN said that Georgia, Greece, Israel, Luxembourg and the Netherlands had become sponsors of draft resolution A/C.3/48/L.65 entitled "Situation of human rights in the Sudan".

88. Mrs. THRAPP (United States of America) said that Armenia and Japan had also joined the list of sponsors. In order to take into account the concerns of various delegations, the United States had submitted a revised draft text which made clear that human rights violations in the Sudan were continuing (summary executions, detentions without due process, forced displacement of individuals, torture, obstacles to supplying humanitarian assistance and injuries to relief workers) and took note of the efforts made by the Heads of States of the Intergovernmental Authority for Drought and Development to assist parties to the conflict in the Sudan in reaching a peaceful settlement. With a view to achieving consensus on the text, the sponsors had accepted the amendments proposed by the Sudanese Government, which had been included in the revised text already submitted to the Secretariat. They hoped that the draft resolution would accordingly be adopted by consensus.

89. Mr. YOUSIF (Sudan) said that his delegation opposed draft resolution A/C.3/48/L.65, which was similar to General Assembly resolution 47/142 of 1992. It was politically motivated and biased, contained sweeping generalizations and unverified statements, and misrepresented several aspects of the report of the Special Rapporteur. His delegation had held consultations with the sponsors and had proposed a comprehensive set of amendments, which had been rejected without justification, so that it had not been possible to reach consensus.

90. His delegation, summarizing its detailed comments on the draft resolution, believed that the text characterized problems relating to natural disasters, the armed conflict in southern Sudan and the economic situation as human rights violations in a political context, while the right to development of Sudan, a least developed country, was violated through the economic and political pressure exerted on its Government. Secondly, although those problems had existed long before the current Government had taken office, the United States Government had decided to raise the issue in 1992 for purely political reasons, in order to exert pressure on the Government, and not for humanitarian reasons.

(Mr. Yousif, Sudan)

Thirdly, the draft resolution, which deliberately disregarded the cooperation extended by his Government and its efforts to address the underlying causes of the so-called human rights violations, would have a negative impact on the peace initiatives undertaken by the Government and others with a view to solving the problems relating to the conflict in the southern part of the country. Fourthly, the unjustified refusal to recognize the unconditional cooperation extended by his Government, the misrepresentation of the Special Rapporteur's statements concerning that cooperation, and the political context in which the text had been drafted, undermined the Special Rapporteur's mission. His Government found it regrettable that the United Nations system should be manipulated in order to appease the United States Government and its allies or to serve their objectives. Lastly, he called upon delegations to strike a balance between the Sudanese people's right to development, as a basic human right, and the Sudanese Government's duty to respect human rights in general. The international community was duty-bound not to disregard the efforts of the Sudanese Government to address the underlying causes of the so-called human rights violations.

91. For those reasons, his delegation would vote against the draft resolution, and it hoped that all members of the Committee would do likewise.

92. Mr. AGGREY (Ghana) said that, as the revised text reflected some concerns which he had discussed with the sponsors, his delegation had joined the list of sponsors of the draft resolution.

Draft resolution A/C.3/48/L.66

93. The CHAIRMAN said that Swaziland and Uruguay had joined the list of sponsors of draft resolution A/C.3/48/L.66, entitled "Plight of street children".

94. Mr. NOTERDAEME (Belgium) introduced the draft resolution on behalf of the European Union and some 50 countries, which had been joined by Ecuador, Guatemala, San Marino and Singapore. The sponsors noted with satisfaction that the Convention on the Rights of the Child was being ratified by a growing number of States. Children, especially street children, as a particularly vulnerable section of society, required special protection from their families and communities, as part of national and international efforts to improve their living conditions. Drawing attention to preambular paragraphs 3, 5, 14, 15 and 16, and to operative paragraph 3, which urged Governments to take urgent measures to prevent the killing of street children, he said that it was to be hoped that the draft resolution would be adopted by consensus.

95. Mr. CHEPETE (Botswana), Mr. KUMELA (Ethiopia), Mr. OKOUA (Togo), Mrs. TERRAZAS (Bolivia), Mr. DIALL (Mali), Mr. KONKOBO (Burkina Faso), Mrs. ROMULUS (Haiti) and Mr. GUILLEN (Peru) said that their delegations had joined the list of sponsors of the draft resolution.

Draft resolution A/C.3/48/L.73

96. The CHAIRMAN said that the draft resolution, entitled "Situation of human rights in Afghanistan", had been submitted by him, and that the text was acceptable to all parties. The penultimate line of paragraph 10 had been amended and should read as follows: "... legally and effectively ended, as well as for the tracing of the many Afghans still missing ...". It was to be hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/48/L.67

97. Mrs. MORGAN (Mexico), introducing the draft resolution, entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families", on behalf of the sponsors, said that it was intended to draw the attention of the international community to the situation of migrant workers and members of their families and the need to protect their rights.

98. Noting that the draft resolution took into account the results of the World Conference on Human Rights, she read out preambular paragraphs 5 and 6. Drawing attention to paragraphs 2 and 3, she stressed the importance of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the need for its entry into force in view of the substantial increase in migration throughout the world. The sponsors hoped that the draft resolution would be adopted without a vote.

99. Ms. LIMJUCO (Philippines) and Mr. AGGREY (Ghana) said that their delegations had joined the list of sponsors of the draft resolution.

Draft resolution A/C.3/48/L.69

100. Mrs. MOSER (Austria), introducing draft resolution A/C.3/48/L.69, entitled "Human rights in the administration of justice", said that Spain, New Zealand and San Marino had joined the list of sponsors. She recalled that a draft resolution on the question was submitted every two years; that was why paragraph 14 provided for the question to be considered at the fiftieth session of the General Assembly. The sponsors had endeavoured to take into account, in the text of the draft resolution, not only the relevant provisions of the Vienna Declaration and Programme of Action, but also Commission on Human Rights resolutions 1993/32 and 1993/41; they thanked those delegations which had shown a special interest in the issue for their fruitful cooperation. Drawing attention, in particular, to paragraphs 4, 6 and 7, she noted that the text was the result of intensive negotiations, and that the sponsors had endeavoured to take into consideration a wide variety of views; it was to be hoped that, as in previous years, the Committee would adopt the draft resolution by consensus.

101. Mr. Van der Heijden (Netherlands), Vice-Chairman, took the Chair.

102. Mrs. KABA (Côte d'Ivoire) said that her delegation had joined the list of sponsors of the draft resolution.

The meeting rose at 6 p.m.

UNITED NATIONS

General Assembly

FORTY-EIGHTH SESSION

Official Records

THIRD COMMITTEE
51st meeting
held on
Friday, 3 December 1993
at 6 p.m.
New York

SUMMARY RECORD OF THE 51st MEETING

Chairman: Mr. VAN DER HEIJDEN (Netherlands)
(Vice-Chairman)

later: Mr. KUKAN (Slovakia)
(Chairman)

CONTENTS

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

AGENDA ITEM 115: SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA (continued)

AGENDA ITEM 172: NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS (continued)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/48/SR.51
25 February 1994
ENGLISH
ORIGINAL: FRENCH

93-82849 (E)

In the absence of the Chairman, Mr. Van der Heijden (Netherlands), Vice-Chairman, took the Chair.

The meeting was called to order at 6 p.m.

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued) (A/48/58-S/25024, A/48/63, A/48/68, A/48/74-S/25216, A/48/75-S/25217, A/48/77-S/25231, A/48/88-S/25310, A/48/93, A/48/94, A/48/113-S/25397, A/48/116, A/48/120, A/48/125, A/48/136, A/48/152, A/48/174, A/48/176-S/25834, A/48/177-S/25835, A/48/181, A/48/184, A/48/201, A/48/203-S/25898, A/48/211, A/48/214, A/48/217-S/25986, A/48/222, A/48/261-S/26073, A/48/262, A/48/273, A/48/291-S/26242, A/48/294-S/26247, A/48/302, A/48/307, A/48/330, A/48/355-S/26390, A/48/357, A/48/370, A/48/394, A/48/395-S/26439, A/48/396-S/26440, A/48/401, A/48/446, A/48/484, A/48/496 and A/48/564)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/48/210-E/1993/89, A/48/283, A/48/340, A/48/342, A/48/425, A/48/509 and Add.1, A/48/510, A/48/575, A/48/576, A/48/589, A/48/590; A/C.3/48/7 and A/C.3/48/8)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/48/92-S/25341, A/48/261, A/48/274-S/26125, A/48/295, A/48/298, A/48/299, A/48/351-S/26359, A/48/387-S/26424, A/48/525, A/48/526 and Add.1, A/48/561, A/48/562, A/48/570-S/26686, A/48/577, A/48/578, A/48/579, A/48/584, A/48/600 and Add.1, A/48/601; A/C.3/48/9, A/C.3/48/13 and A/C.3/48/17)

AGENDA ITEM 115: SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA (continued) (A/48/82, A/48/156, A/48/208, A/48/220, A/48/223, A/48/259, A/48/511; A/C.3/48/16)

AGENDA ITEM 172: NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS (continued) (A/48/242; A/C.3/48/1/Add.1)

Introduction of draft resolutions A/C.3/48/L.70, L.71, L.72, L.74, L.75, L.76 and L.77

Draft resolution A/C.3/48/L.70: Situation of human rights in Myanmar

1. Ms. STROM (Sweden) said that Armenia, Poland and Romania wished to join the sponsors of the draft resolution.

2. As in previous years, and despite the adoption by the Government of several positive measures, the situation of human rights in Myanmar continued to require close monitoring on the part of the international community. The sponsors of the draft resolution deemed that a halt must be called to the human rights violations that continued to occur there and that democracy must be restored.

(Ms. Strom, Sweden)

They drew the attention of the members of the Committee in particular to paragraph 5, in which the General Assembly noted with concern that most of the representatives duly elected in 1990 had not been authorized to participate in meetings of the National Convention; to paragraph 14, in which the General Assembly encouraged the Government of Myanmar fully to implement the provisions of the Memorandum of Understanding that it had concluded with the Office of the United Nations High Commissioner for Refugees on 5 November 1993, to create the necessary conditions to ensure an end to the flows of refugees to neighbouring countries and to facilitate their speedy repatriation and their full reintegration in conditions of safety and dignity, and to paragraph 15, in which the General Assembly requested the Secretary-General to assist in the implementation of the resolution and to report to the General Assembly at its forty-ninth session.

3. She thanked the sponsors for their active cooperation and hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/48/L.71: Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

4. The CHAIRMAN informed the members of the Committee that Albania and Benin wished to join the sponsors of the draft resolution.

5. Mrs. MOSER (Austria) said that the draft resolution, which had been elaborated in close cooperation with Ukraine and with the numerous other delegations to whom minorities were a major concern, drew its inspiration from Commission on Human Rights resolution 1993/24, from the report of the Secretary-General on the effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, as well as from the Vienna Declaration and Programme of Action.

6. She drew the Committee's attention to paragraph 2, which urged States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, paragraph 3, which called on the Commission on Human Rights to examine ways and means to promote and protect effectively the rights of persons belonging to minorities, and paragraph 4, which called on the Secretary-General to provide, through the Centre for Human Rights and at the request of Governments concerned, qualified expertise on minority issues and human rights, as well as on the prevention and resolution of disputes, to assist in existing or potential situations involving minorities.

7. She hoped that, after the numerous consultations that had taken place, the draft resolution could be adopted without a vote.

Draft resolution A/C.3/48/L.72: Human Rights in Haiti

8. The CHAIRMAN said that Australia and the United Kingdom of Great Britain and Northern Ireland wished to join the sponsors of the draft resolution.

9. Mr. ISSA (Egypt), supported by Ms. AL-HAMAMI (Yemen), Mr. SERGIWA (Libyan Arab Jamahiriya) and Mr. JAAFARI (Syrian Arab Republic), speaking on a point of order, noted that the title of the draft resolution had been omitted in the Arabic text. He recalled that there had been similar omissions in draft resolutions A/C.3/48/L.48 and L.62 and requested the Office of Conference Services to give equal attention to all the official languages of the Organization.

10. Miss FONSECA (Venezuela), introducing the draft resolution, said that Ecuador, El Salvador and San Marino should be added to the list of sponsors. She pointed out that Haiti was not included in the list and hoped that the error would be rectified promptly.

11. The draft resolution reflected the conclusions of the report of the Special Rapporteur on the situation of human rights in Haiti. As was well known, the peace process which had been launched under the auspices of the United Nations had failed on account of the Government's de facto refusal to implement the Agreement of Governors Island, which was a sine qua non condition for improving the human rights situation in Haiti. The situation was currently worsening. Political violence, which was sharply increasing, had cost several major political figures their lives, including the Minister of Justice, Mr. François Guy Malary.

12. A new paragraph should be inserted between the ninth and tenth preambular paragraphs reading as follow: "Deeply concerned by the multiplication of acts of violence and intimidation against the Haitian Government, in particular the assassination of the Minister of Justice, Mr. François Guy Malary, which have contributed to the temporary withdrawal of the International Civilian Mission". She hoped that the draft resolution would be supported by all delegations.

Draft resolution A/C.3/48/L.74: Situation of human rights in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)

13. The CHAIRMAN announced that Georgia had joined the sponsors of the draft resolution.

14. Mrs. MORENSKI (United States of America) said that, in the draft resolution, the General Assembly condemned the specific violations reported by the Special Rapporteur, Mr. Mazowiecky, as well as "ethnic cleansing", the indiscriminate shelling of cities and civilian areas, the besieging of cities and the use of military force against civilian populations and relief operations. She praised the work of the Special Rapporteur, the relief organizations and monitoring missions and urged all States and United Nations agencies to support the International Tribunal which had been established pursuant to Security Council resolution 827 (1993) for the prosecution of persons responsible for violations of international humanitarian law.

15. Her delegation and the many others which had supported the draft resolution had seen to it that the draft resolution faithfully reflected the evolution of

(Mrs. Morenski, United States)

the conflict in the former Yugoslavia. A revised version of the text which took into account the results of all the consultations that had been held would be issued shortly.

Draft resolution A/C.3/48/L.75: Situation of human rights in Cambodia

16. The CHAIRMAN announced that the United States of America had joined the sponsors of the draft resolution.

17. Mr. WILLIS (Australia) said that Austria, Cameroon, Japan, the Netherlands, Sweden and the United Kingdom of Great Britain and Northern Ireland had indicated that they intended to join the sponsors of the draft resolution. Two minor changes had been made in the text. At the end of the fifth preambular paragraph, the words "in article 5 of part III of the" had been deleted and in paragraph 4, the words "from within existing resources" had been inserted after the words "all necessary resources". The paragraph should therefore read as follows: "Requests the Secretary-General to provide all necessary resources from within existing resources to enable the Special Representative to fulfil these tasks expeditiously;".

18. Cambodia's tragic recent history gave the international community reason to be particularly concerned over the human rights situation in that country. In that connection, it should be recalled that innovative measures had already been adopted under the 1991 Paris Agreements to promote and protect the human rights of the Cambodian population as a whole. Moreover, in implementation of Commission on Human Rights resolution 1993/6, the Centre for Human Rights had established an operational presence in the country and the Secretary-General had appointed a Special Representative for Cambodia. In its draft resolution, the General Assembly welcomed that progress and requested the Secretary-General to ensure adequate resources for the functioning of the operational presence of the Centre for Human Rights in Cambodia and to enable the Special Representative to fulfil the tasks which had been entrusted to him. The General Assembly decided, moreover, to continue its consideration of the situation of human rights in Cambodia at its forty-ninth session and to take measures to ensure that Cambodians benefited from assistance in strengthening their institutions for the promotion and protection of human rights. His delegation hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/48/L.76: Human rights and mass exoduses

19. Mr. TROTTIER (Canada) said that the United States of America, France and the Philippines should be added to the list of sponsors. Draft resolution A/C.3/48/L.76 took special account of the provisions of resolution 1993/70 of the Commission on Human Rights on that subject. In the draft resolution, the General Assembly noted that human rights violations were one of the factors causing mass exoduses of refugees and displaced persons and that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees had specifically acknowledged the direct relationship between the observance of human rights standards, refugee movements, problems of protection and solutions. It once again invited all Governments and intergovernmental and humanitarian

(Mr. Trottier, Canada)

organizations concerned to intensify their cooperation in order to address the problems resulting from mass exoduses of refugees. He hoped that the draft resolution would be adopted without a vote.

20. Mr. BRAHA (Albania), Mr. JALLOW (Gambia), Mrs. KABA (Côte d'Ivoire) and Mrs. MBELLA NGOMBA (Cameroon) said that their countries had joined the sponsors of the draft resolution.

Draft resolution A/C.3/48/L.77: Human rights and scientific and technological progress

21. Mrs. DROZD (Belarus) said that Argentina and Belgium had joined in sponsoring the draft. In the draft, the General Assembly reaffirmed the importance of its resolution 45/95, whereby it had adopted the "Guidelines for the regulation of computerized personal data files", and its resolution 46/119 whereby it had adopted the principles for the protection of persons with mental illness and the improvement of mental health care; it welcomed relevant paragraphs of the Vienna Declaration and Programme of Action stating that "everyone has the right to enjoy the benefits of scientific progress and its applications" and that "certain advances, notably in the biomedical and life sciences as well as in information technology, may have potentially adverse consequences for the integrity, dignity and human rights of the individual"; called upon all Member States to ensure that the achievements of scientific and technological progress and the intellectual potential of mankind were used for promoting and encouraging universal respect for human rights and fundamental freedoms and to take the necessary measures to ensure that the results of science and technology were used only for the benefit of the human being. She hoped that the draft resolution would be adopted without a vote.

22. In addition, she drew the Committee members' attention to two amendments to the text of the draft. In paragraph 3, the word "emphasis" should be replaced by the words "underlines the need" and the rest of the paragraph changed accordingly. In the third line of paragraph 4, the words "to ensure development life and technical sciences respectful of human rights" should be replaced by the words "to ensure that life and technical sciences develop in a manner respectful of all human rights".

23. Mrs. CASTRO de BARISH (Costa Rica), Mrs. RAOELINA (Madagascar) and Mr. BOISSON (Monaco) said that their countries had joined the sponsors of draft resolution A/C.3/48/L.77.

24. Mr. Kukan (Slovakia), Chairman, took the Chair.

25. Mr. JALLOW (Gambia) said that the holding of the World Conference on Human Rights symbolized the desire of humankind to enjoy those rights in accordance with democracy and humanitarian law. The Gambia fully associated itself with the efforts made by the international community, both at the local and at the international level, to attain that goal. For that reason, it actively supported the establishment of the post of High Commissioner for Human Rights, which would provide an appropriate framework at the highest level for

(Mr. Jallow, Gambia)

coordinating human rights activities, supervising the implementation of relevant principles and instruments and also facilitating contacts with international aid and development agencies.

26. To attain those goals and to implement the projects outlined in the Vienna Declaration and Programme of Action, it would be necessary to increase budgetary allocations to United Nations human rights bodies. His delegation urged the United Nations to address the issue as a matter of priority. In particular, sufficient resources should be allocated to the Centre for Human Rights and the Commission on Human Rights. The national and regional assistance programmes managed by the Centre had led to an improvement in the human rights situation in several countries and regions of the world. Thanks to such assistance, the African Centre for Democracy and Human Rights Studies, located in the Gambia, had been able to expand the scope of its human rights studies, to provide, where requested, the necessary guidance and support to African States, particularly in the field of training, and to encourage the practical implementation of international human rights standards. The increased resources would enable the Centre to strengthen and extend its programme for the promotion and defence of human rights throughout the world.

27. A significant portion of the world's population still experienced some form of human rights violation. Underdevelopment and its attendant evils, unless fully addressed, would jeopardize the international community's efforts to ensure universal protection of human rights. The World Conference on Human Rights had rightly focused on the necessity to strike a balance between human rights, democracy and development. Because of its conviction that human rights promoted development and that development fostered the exercise of those rights, his delegation attached the greatest importance to the Declaration on the Right to Development.

28. The slowing of the growth of the world economy had impacted severely on the developing countries, whose problems were compounded by their external debt burden. The Commission on Human Rights had therefore adopted a resolution entitled "Effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development". As the head of State of the Gambia had pointed out at the Vienna Conference, the emphasis placed by the developed countries on civil and political rights must be matched by comparable support for the economic, social and cultural rights of the impoverished populations of the South, since those rights were indivisible and interdependent.

29. Respect for human rights and adherence to the principles of constitutional democracy, the rule of law and the independence of the judiciary served as the basis for the Gambia's policy and for its social and economic development. Its adherence to international human rights instruments reflected its commitments in that area. In addition, the Gambia had always favoured the idea of an African regional system for the promotion and protection of human rights, and for that reason, it had offered to host the African Commission on Human and People's Rights established under the African Charter on Human and People's Rights.

(Mr. Jallow, Gambia)

30. Over a billion people lived in a state of absolute poverty in rural areas and their situation would undoubtedly worsen over the next 30 years. The international community should therefore spare no effort to improve the living conditions of those people and of all those suffering from other forms of human rights violations.

31. Mrs. FRECHETTE (Canada) said that the debate on human rights, based on reports from a few rapporteurs with limited resources and inadequate Government cooperation, would be enhanced if it was based on an authoritative annual report by the Secretary-General. In 1992, her delegation had made a proposal to that effect.

32. The momentous changes of recent years and the emergence of more open and more democratic societies had made the ideal of better human rights protection more attainable than ever before. Rapporteurs and special representatives played an important role, but their ultimate effectiveness would depend on actions and attitudes in those countries where rights were being violated.

33. Those responsible for the atrocities in the former Yugoslavia must be held accountable for their actions; Canada was committed to helping the Commission of Experts and the recently established International Tribunal to bring those war criminals to justice. In the meantime, it would continue to support efforts to ease the suffering of the victims of the conflict.

34. Canada supported the efforts of the international community to end the tragedy in Haiti, where the military and armed civilians were spreading terror, despite the promises made at Governors Island.

35. It called on the Iraqi Government to, inter alia, end its human rights abuses against the Kurds in the north and the shiites in the southern marshlands. The General Assembly should urge Iraq to cooperate openly with the Commission's Rapporteur and to implement his recommendations.

36. Iran, which continued to violate the right to life, to maintain a repressive attitude towards women and a discriminatory attitude against the Bahai community and had not lifted the "fatwa" decreed against Salman Rushdie, should also be urged to improve its cooperation with the Commission's Special Rapporteur.

37. The Special Rapporteur on Myanmar should be able to conduct his inquiries unimpeded by the Government. Her delegation called for the unconditional release of Daw Aung San Suu Kyi and other political prisoners. Canada would support an international embargo on the sale of military equipment to Myanmar.

38. While recognizing Cuba's efforts in the area of economic, social and cultural rights, her delegation expressed its distress at Cuba's refusal to cooperate with the Special Rapporteur and its concern about the Cuban Government's record on civil and political rights.

(Mrs. Frechette, Canada)

39. Her delegation remained concerned about the serious human rights violations in Cambodia, particularly in areas that were still under the control of the Khmer Rouge, and supported the presence of the United Nations staff in Phnom Penh.

40. While welcoming the progress achieved in El Salvador, particularly the holding of free and fair national elections there in 1994, her delegation deplored the politically motivated acts of intimidation which continued to be perpetrated and believed that the mandate of the independent expert on El Salvador should be extended.

41. Her delegation welcomed the success of the United Nations in delivering humanitarian relief to Somalia. It hoped for the restoration of public order, reconciliation between the clans and the establishment of civil structures. To that end, the United Nations Operation in Somalia (UNOSOM) must continue to receive support in carrying out its tasks.

42. The Middle East peace initiative must be accompanied by efforts to encourage respect for human rights and foster a permanent, systemic change in the region. In Syria, due process of law and the rights of religious minorities must be more fully respected. Her delegation welcomed the recent release of political prisoners and hoped that the Syrian Government would remove the barriers to travel abroad by Syrian Jews.

43. Her delegation had vigorously supported efforts by the United Nations and the countries of the region to initiate peace negotiations in Angola, but the refusal of UNITA to accept the results of democratic elections had plunged the country back into civil war.

44. Concerned by the Sudanese authorities' lack of cooperation with international humanitarian organizations and the dislocation and devastation of entire communities there, her delegation urged the Sudanese Government to give its full cooperation to the Special Rapporteur.

45. The efforts made by the United Nations and African countries had borne fruit in certain parts of Africa. That was the case in Rwanda, where the presence of a United Nations force should facilitate the implementation of the Arusha Peace Agreement, and in Liberia, where the United Nations was working with West African peace-keepers to implement the Cotonou Agreement. In Liberia, the holding of free elections would be the crowning achievement of the first major peace-keeping effort by the Organization of African Unity (OAU).

46. Concerned by the human rights abuses committed in Peru by both terrorist organizations and Government forces, her delegation fully supported efforts to eliminate such abuses; it hoped that the new Constitution, for which the people of Peru had voted on 31 October, would encourage a return to democracy.

47. Her delegation encouraged the Guatemalan Government and Unidad Revolucionaria Nacional Guatemalteca (URNG) to resume peace negotiations and

(Mrs. Frechette, Canada)

reiterated its support for the civilian Government's efforts to ensure respect for human rights and to develop democracy.

48. The international community should actively encourage the negotiation of a peace agreement in Sri Lanka in order to put an end to the serious human rights abuses committed by security forces and Tamil separatists.

49. Concerned by the violence perpetrated in Kashmir, her delegation none the less welcomed the peaceful resolution of the siege of the Hazrat Bal Muslim shrine and invited the Indian Government to conduct an in-depth investigation of the incident. Observers from the international community must also have access to troubled areas.

50. While the establishment of a National Commission on Human Rights in Indonesia was encouraging, her delegation urged the Indonesian Government to authorize international NGOs to go to East Timor and encourage the discussions being held under United Nations auspices.

51. Her delegation welcomed the democratic elections held recently in Pakistan but encouraged the Government to address the human rights problems which, according to credible organizations, persisted there.

52. Her delegation was encouraged by the efforts made to ensure greater respect for human rights in Viet Nam, but was concerned by the treatment of religious leaders and political activists.

53. Despite an improvement in the human rights situation in China, many dissidents remained incarcerated and judicial proceedings lacked equity and transparency. In Tibet the human rights situation had not improved.

54. The recent coup attempt and assassination of President Ndadaye had unfortunately halted the short-lived democratic experiment in Burundi. It must be resumed.

55. Her delegation called for the rapid resumption of the democratic process in Nigeria, where the presidential election had been annulled, the military had taken over and democratic institutions had been dissolved.

56. In the light of the reports documenting human rights violations in Zaire, particularly in the provinces of Shaba, Kivu and Kasai, the Commission on Human Rights should consider measures to deal with the disastrous situation in that country.

57. Canada did not believe that human rights constituted a North-South divide. Every region had countries that were defenders of human rights and others where there were serious human rights situations. Although dismayed by the rise of new forms of racism and extremism in Eastern and Western Europe, Canadians had at the same time been impressed by the manner in which the citizens of those regions had reiterated their determination to resist such developments. Governments that were determined to deal with those problems deserved the

(Mrs. Frechette, Canada)

international community's support. Canada had on various occasions been criticized by human rights treaty bodies. It had not always agreed with the conclusions of such committees, but its approach had always been to cooperate and maintain a dialogue with United Nations authorities.

58. The responsibility for implementing the Vienna Programme of Action rested not only with the relevant organs like the Commission on Human Rights, the Commission on the Status of Women and the human rights treaty bodies but also with the Third Committee, one of whose most pressing tasks was to create a post of High Commissioner for Human Rights, who could bring a sense of renewal to the treaty bodies and coordinate their activities. Canada pledged to cooperate in that task.

59. Mr. LADSOUS (France), speaking on agenda item 114 (b), said that his delegation fully supported the statements made on the item by the Belgian delegation on behalf of the European Union.

60. The international community watched as grave human rights violations continued to be committed in many regions of the world and was powerless to put a stop to them, even in the abhorrent cases of "ethnic cleansing" practised in the former Yugoslavia or the repression carried out in Haiti. Lessons must be drawn from those revolting situations and ways must be found to forestall and deal with them.

61. The previous year, his delegation had underscored the need to strengthen the means of investigation, monitoring and rapid response when human rights violations occurred anywhere in the world. It considered it particularly important to guarantee the victims and their representatives the broadest possible access to the protection bodies. France had been responsible for the establishment of several bodies devoted to the consideration of specific topics, like the Working Group on Enforced or Involuntary Disappearances and the Working Group on Arbitrary Detention. That was an approach to be followed so that the system could be rounded out. France therefore awaited with interest the submission to the Commission on Human Rights of the first reports by the Rapporteur on freedom of thought and expression and the Special Rapporteur on contemporary forms of racism, racial discrimination, and xenophobia and related intolerance.

62. His delegation commended the treaty bodies and the Commission on Human Rights for their dynamism. It supported the idea of holding special meetings to deal with emergency situations, and also the innovative way in which the mandate of Mr. Mazowiecki, the Special Rapporteur on the former Yugoslavia, had been defined so that he could benefit from the collaboration of all the existing machinery and from the assistance of the Centre for Human Rights in the field. Although the cooperation of the States concerned was not always ideal, the spirit of cooperation had become routine and on-site inspections by United Nations representatives were generally facilitated. The Vienna final document took note of those very positive developments.

(Mr. Ladsous, France)

63. As to the resources allocated to the Centre for Human Rights, his delegation recalled that the growing discrepancy between the activities of the Centre and the resources made available to it had been underscored in Vienna. France itself took a firm position in favour of substantially increasing the Centre's funding and feared that the Secretariat's proposals in that regard were not adequate.

64. The World Conference had asked the General Assembly to take a decision on the establishment of a post of High Commissioner for Human Rights. France, very much in favour of the proposal, thought that the post ought to be at the Under-Secretary-General level for reasons of visibility and especially of effectiveness. The High Commissioner should rely on the existing machinery, which he should neither compete with nor challenge nor still less replace. He would direct the Centre for Human Rights in Geneva and in that capacity strengthen the effectiveness and cohesiveness of the United Nations system related to the protection and promotion of human rights. The much advocated streamlining of the United Nations system would require the High Commissioner to help implement any decisions of United Nations bodies involved in human rights. The High Commissioner could give full meaning to concepts having to do with the protection of human rights, which were generally accepted but were not always respected. He could, in particular, make it known that all human rights were indivisible and equally important. Neither individual nor collective human rights could be implemented without a sustained dialogue at the highest levels with all United Nations bodies.

65. As the World Conference had also recommended, on a subject that was not unrelated to the High Commissioner, countries requesting it must be given more assistance in creating the conditions necessary for the realization of human rights and fundamental freedoms, in other words, in enacting laws and establishing or strengthening the institutions of a State under the rule of law.

66. Recalling the first session of the Commission on Human Rights Working Group on the Right to Development held a few days earlier in Geneva, his delegation welcomed the fact that the United Nations had been able to set up machinery to assess the scope of the Declaration on the Right to Development and identify the obstacles to its full realization.

67. As for the efforts to combat impunity, it should be recalled that the World Conference had advocated the establishment of an international criminal tribunal and requested the International Law Commission to speed up its work on the subject. The recognition of the personal accountability of those who practised coercion was one of the keys to preventing human rights violations. His delegation recalled in that connection that all countries, by virtue of the Geneva Conventions, had an obligation to observe and ensure the observance of international humanitarian law. Consequently, the atrocities committed on the territories of the former Yugoslavia had led the Security Council to establish, at the initiative of France, a special tribunal to judge violations of humanitarian law. Its experience would serve as an example.

(Mr. Ladsous, France)

68. His delegation noted with satisfaction that the latest report of the Secretariat took account of the importance of technical assistance in preparing the democratic environment required both for the proper conduct of elections and for compliance with the results. There were unfortunately too many instances of electoral verdicts that were not respected, either by the regime in power, as in Myanmar, or by one of the parties, as in Angola, or as a result of a military uprising, as in Burundi. Regarding assistance in democratization, the Electoral Assistance Unit, the United Nations Development Programme (UNDP) and the Centre for Human Rights must, of course, work together, but the Centre was obviously best equipped to coordinate activities in that area.

69. The Conference on Human Rights had highlighted the advantage of national initiatives by actors in civil society, in particular non-governmental organizations and the press. Such independent institutions made possible a continuing and constructive dialogue that fostered the promotion of human rights, in accordance with the Vienna recommendations. They would soon be gathering in Tunis to reflect on ways of strengthening the technical assistance activities that concerned them.

70. France was pleased that the Vienna Declaration had devoted significant attention to the rights of the child and that the issue was the subject of several draft resolutions under consideration by the Third Committee. In 1992, the Twelve had been the first to introduce a text calling the attention of the international community to the plight of street children. Alarmed by the critical situation in such countries as Afghanistan and Cambodia, France had taken the initiative in the Commission on Human Rights in connection with a resolution on children's rights dealing more specifically with the effects on children of the indiscriminate use of anti-personnel mines. It welcomed the interest taken in that question by the General Assembly at the current session. It took great satisfaction in the positive initiative by Uruguay to submit a text aimed at continuing the discussion on children in armed conflicts. France stressed that the international community must devote more attention to the abuses suffered by children as a result of exploitation through child labour and prostitution. Countries must adopt courageous national policies and strengthen their cooperation to bring an end to the most serious violations of the rights of the child. Where children were concerned, the future of all was at stake.

71. Mr. AINSO (Estonia) speaking under agenda item 115, thanked the Assistant Secretary-General for Human Rights, Mr. Ibrahima Fall, for dispatching a fact-finding mission to Estonia. That mission had issued a report, which Estonia fully endorsed, concluding that, despite the allegations of the Russian authorities, there was no ethnic or religious discrimination in Estonia. Estonia was convinced of the importance of transparency with regard to human rights and had established a constructive dialogue with a number of organizations, such as the Conference on Security and Cooperation in Europe (CSCE). CSCE had made a number of recommendations to the Estonian Government which were being implemented, in particular concerning the language requirements for the acquisition of Estonian citizenship. The Government of Estonia had even invited experts from CSCE and the Council of Europe to comment on its proposed law on aliens in order to ensure that it would be fully in keeping with

(Mr. Ainso, Estonia)

international norms and standards. The law adopted by the Estonian Parliament in July 1993 provided guarantees to foreign residents in all areas, even granting then the right to vote in local elections. Foreign residents had taken full advantage of that right at the elections recently held in Estonia, as witnessed by the fact that nearly half of those who had voted were non-citizen residents.

72. In other words, Estonia had established a legal framework which guaranteed equal treatment for all residents in its territory. Persons who believed that their human rights were being violated could bring their cases before the competent administrative or judicial bodies. Of course, everything was not perfect and the United Nations fact-finding mission had noted in its report some problems that the Estonian Government was attempting to correct. The report suggested, in particular, that the Government should develop the teaching of Estonian and that foreign donors, including the Russian Federation, should be invited to assist. Regrettably, the Russian Federation had thus far ignored that recommendation.

73. The draft resolution submitted by the Russian Federation to the Third Committee contended that human rights problems existed in Estonia and Latvia - despite the conclusions to the contrary drawn by all those who had investigated the situation in both countries - and requested the Secretary-General to report on the issue at the forty-ninth session of the General Assembly. In other words, the Russian Federation consistently refused to recognize the conclusions of impartial experts. By so doing, it undermined the value of the United Nations human rights mechanisms, to which the international community attached great importance. The Russian Federation had gone as far as accusing Latvia and Estonia of practising a policy of "ethnic cleansing", which not only was blatantly untrue, but trivialized a very real and despicable practice. On the pretext of protecting the Russian-speaking population in neighbouring countries, the Russian Federation had made interference in the internal affairs of those countries a priority objective of its foreign policy. That had recently been documented by a report of Helsinki Watch. In submitting a resolution contrary to the conclusions of the Secretary-General's report, the Russian Federation was continuing its usual practice of denying reality. The representatives of Latvia and Estonia had met with their counterparts from the Russian Federation. They had listened attentively to the Russian Federation's alleged concerns over the human rights of Estonia's residents. However, they could not accept a resolution that did not take into account the Secretary-General's conclusions and which called for maintaining the item in question on the agenda of the Third Committee. It was time to drop those false allegations and accept the professional opinion and judgement of the United Nations experts who were competent in the matter.

74. Mr. NGO QUANG XUAN (Viet Nam), speaking under agenda item 114 (b), said that, to Viet Nam, the promotion and protection of human rights and fundamental freedoms was the common cause of mankind and required the joint efforts of all States and nations. The principles and objectives of the United Nations Charter, the Universal Declaration of Human Rights and the two basic human rights covenants had become universal standards. In recognizing both the

(Mr. Ngo Quang Xuan, Viet Nam)

universality and the specificity of human rights, member States could achieve dialogue and cooperation in a spirit of mutual respect.

75. Viet Nam reaffirmed its support for the general principles set out at the Vienna Conference: the reaffirmation of the inalienable right of peoples to self-determination within the context of territorial integrity and political unity of sovereign and independent States; the commitment of all States to promote and protect human rights and fundamental freedoms in conformity with international instruments and international law; the importance of enhancing international cooperation in that field; the indivisibility and interdependence of civil, political, economic, social and cultural rights.

76. To his delegation, one of the major achievements of the Vienna Conference was the recognition by the entire international community of the universal and fundamental right to development. When people's basic needs could not be met, economic, social and cultural rights could not be guaranteed. As stated in the Vienna Declaration, "democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing". As a developing country, and as a member of the Movement of Non-Aligned Countries and the Group of 77, Viet Nam attached great importance to the right to development and was committed to making an active contribution to its full implementation. Viet Nam welcomed the recent establishment by the Commission on Human Rights of a thematic working group on that issue and hoped that the working group would formulate promptly a set of measures to eliminate obstacles to the implementation of the Declaration on the Right to Development. His delegation fully supported the initiative taken by the United Nations to work out a comprehensive and effective agenda for development. Its implementation would be a fundamental factor in the establishment of a new and equitable world order.

77. The World Conference had recommended the adaptation and strengthening of the United Nations machinery for the protection of human rights, including the appointment of a United Nations High Commissioner for Human Rights. His delegation believed that full use must first be made of existing mechanisms and their effectiveness should be enhanced. Given the current process of streamlining the United Nations and its financial difficulties, any initiative for the establishment of new mechanisms must be carefully examined. There was reason to hope that the spirit of consensus would prevail within the open-ended working group on the establishment of a High Commissioner for Human Rights.

78. Viet Nam, which had struggled for so long to free itself of oppression and subjugation, wished to emphasize that the protection of human rights was strictly within the competence of individual countries and was part of the historical, economic, social and cultural context of each one.

79. Thanks to the policy of reform that it had been applying for several years, Viet Nam had achieved significant success in all fields. Its strategy for socio-economic development to the year 2000 put the Vietnamese people at the centre of all activities. The Government's efforts were aimed at strengthening the rule of law and, in so doing, working for broader democracy in the country's institutions.

(Mr. Ngo Quang Xuan, Viet Nam)

80. The 1992 Constitution institutionalized the citizen's right to democracy, freedom and equality. Article 50 of the Constitution and the legislation stipulated that political, civil, economic, cultural and social rights must be respected. However, article 51 of the Constitution also stipulated that the rights of citizens were inseparable from their obligations towards the State and society. The task was to establish a balance between those rights and obligations in order not to deny the rights of the community, since otherwise Viet Nam might lapse into anarchy.

81. The 1992 Vietnamese Constitution, together with other promulgated laws, formed a national legal system that was in conformity with the major international human rights instruments, to which Viet Nam was a party.

82. Before concluding, his delegation wished to express its regret at the lack of objectivity of the statement by the representative of Canada concerning Viet Nam.

83. In its continuing efforts to ensure a better life for all its citizens, Viet Nam was conducting a foreign policy of openness, cooperation with all countries and vigorous integration into the world community. That policy was based on peace, independence and development and on the protection and promotion of all human rights and fundamental freedoms.

84. Mr. AL SAEID (Kuwait) said that respect for human rights, a principle that was laid down in all religions, was vitally important, for a country's level of culture and civilization could be measured against the degree to which it enforced human rights. It had to be noted, however, that many peoples still suffered numerous violations, especially in regions torn by armed conflicts where the opposing factions flouted the most basic rights and committed the most horrible crimes.

85. For its part, the Kuwaiti people continued to suffer the consequences of the cowardly Iraqi attack. Kuwaiti prisoners and detainees in Iraq had still not been released, since the Baghdad regime was refusing to comply with the relevant international resolutions, in particular paragraph 30 of Security Council resolution 687 (1991), according to which Iraq must do everything in its power to facilitate the repatriation of all Kuwaiti and third-State nationals being held in its territory and, to that end, cooperate with the International Committee of the Red Cross (ICRC). The Iraqi regime was refusing to comply with the rules usually followed by ICRC for visits to prisoners of war and imposing unacceptable restrictions on ICRC. It had not attended the meetings with ICRC in which it had been due to participate in July and October 1993, together with the countries of the coalition, thus showing total scorn for the decisions adopted by the Security Council and the General Assembly on the question of the Kuwaiti prisoners. Lastly, it had failed to respond to any of the numerous attempts by various States, to which his delegation paid tribute, to obtain the release of those prisoners and was increasing its delaying tactics in order to shirk its responsibilities.

(Mr. Al Saeid, Kuwait)

86. Kuwait had all the more reason to be concerned at the fate of its nationals being held in Iraq since the Baghdad regime did not hesitate to massacre its own population, using such horrible means as chemical weapons, and committed human rights violations against its own people which the Special Rapporteur on the situation in that country qualified as the most serious violations committed since the Second World War. His delegation therefore urged the international community to bring pressure to bear on Iraq fully to implement all the relevant Security Council resolutions.

87. Having suffered greatly from the Iraqi occupation, Kuwait wished to refer to the martyrdom being endured by another people that was also the victim of aggression, namely the Bosnian people. His delegation added its voice to those requesting the international community to intervene to put an end to the brutal crimes that the Serbian forces were continuing to commit, in the name of the policy of "ethnic cleansing", against the Muslims of Bosnia and Herzegovina.

88. Lastly, his delegation reaffirmed its intention to participate actively in all international human rights meetings and to maintain close ties of cooperation with all United Nations bodies and all non-governmental organizations dealing with human rights. It was convinced that such cooperation was a decisive contribution to the protection of the human rights and dignity of the human person.

89. Mr. KIM Jae Hon (Democratic People's Republic of Korea) said that, despite the end of the cold war, human rights violations continued to occur in various parts of the world, conflicts were breaking out in many countries and a number of countries continued to impose political and economic pressure on those that did not accept their particular values. In order to safeguard the human rights of everyone, priority attention should be given to ensuring that the issue of human rights was not used for political purposes, that the principle of sovereignty of States was respected and that a double standard was not applied in human rights matters. Any attempt to establish a new mechanism or post which countries might use to impose their political values on others or to interfere in the internal affairs of sovereign States should be stopped. Efforts should be aimed primarily at reducing hunger, unemployment, disease, illiteracy and crime, in short, at helping countries to exercise the right to development. The elimination of economic, social and cultural inequalities among countries should be given primary attention. Lastly, true democracy should be promoted throughout the world, serving the popular masses and opposing foreign aggression, intervention and domination.

90. It was also essential to make amends for past crimes against humanity. In that connection, the Democratic People's Republic of Korea urged Japan to conduct a thorough investigation into the human rights violations committed by the Japanese armed forces during the Second World War, in particular the sexual explcitation of Korean women. The Subcommission on Prevention of Discrimination and Protection of Minorities had appointed Ms. Linda Chavez as Special Rapporteur to investigate wartime violations by the former Japanese imperial government. His delegation hoped that the United Nations would help Japan to make amends for those past crimes.

(Mr. Kim Jae Hon, Democratic People's Republic of Korea)

91. The Democratic People's Republic of Korea had established for itself a political system in which citizens were fully protected, medical care and education were free and individuals had no worries about their future. The Korean people intended to strengthen those achievements, with full respect for human rights and fundamental freedoms.

92. Mr. BHANDARE (India) said that in line with the legacy of Mahatma Gandhi, India was firmly committed to ensuring respect for human rights without distinction as to race, sex, language or religion. In that connection, India was profoundly convinced that democracy and development were interdependent and that priority should not be given to certain rights at the expense of others.

93. The implementation of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights depended on a commitment to the basic principle that respect for human rights had to be without distinction as to race, sex, language or religion, the establishment, at the national level, of institutional structures for the promotion and safeguarding of human rights, and the identification of obstacles to the promotion and protection of such rights.

94. Human rights and individual liberties covered all aspects of human development, and respect for human rights and individual liberties could be ensured through peace, independence, security, disarmament and development. Gross and systematic violations of human rights retarded socio-economic development and created tensions which contributed to instability.

95. India's Constitution guaranteed human rights. The democratic nature of the political system, the existence of a free and vast press, and the active vigilance of the population - as the existence of many Indian human rights organizations demonstrated - ensured that any anomalies that occurred in that respect were quickly rectified.

96. At the international level, the human rights mechanisms and organs of the United Nations must be strengthened but any proposed new mechanisms to promote human rights must not duplicate the activities of existing bodies. The sole aim of such new mechanisms, which should be devoid of any political overtones, should be to ensure the preservation and application of human rights in strict conformity with the principles and purposes of the United Nations Charter. His delegation hoped that an early consensus would be reached on the mandate of the future High Commissioner for Human Rights. It considered that the High Commissioner for Human Rights should be fully accountable to the Commission on Human Rights and that his activities should be governed by the policy framework laid down by the relevant intergovernmental bodies.

97. Terrorism, which was a major impediment to the promotion of human rights in that it destroyed the right to life which was the most fundamental of all human rights, had become a veritable scourge against which the international community must fight. Thus, the Indian States of Punjab and Jammu and Kashmir had been the target of acts of terrorism organized and funded by Pakistan. The Republican Research Committee of the United States House of Representatives had

(Mr. Bhandare, India)

published, on 1 February 1993, a report which stated that the support of secessionist terrorism had become an integral part of Pakistani diplomacy. The Pakistani promoters of such acts of terrorism against India had themselves boasted about their action. The former Pakistani Minister, Sheikh Rashid Ahmad, had admitted that he had set up and operated camps for the training of Kashmiri terrorists. The former Chief of the Pakistani Army, General Mirza Aslem Beg, had revealed in an interview granted to an American scholar that from 1986 onwards, the Inter Services Intelligence (ISI) of Pakistan had trained thousands of Kashmiri rebels in areas of Afghanistan adjacent to Pakistan. That confirmed the admission of General Akhtar Abdul Rehman, former ISI Chief, in a biography published recently in Pakistan. Pakistani-trained terrorists were operating not only in India but in different parts of the world. Evidence of their handiwork had been found in the Middle East and even in the West. A report in The New York Times of 11 August 1993 by its correspondent in Peshawar had stated that some of the men responsible for the bombing of the World Trade Center in New York in February 1993 and for a second bombing conspiracy in New York in June had come from Peshawar.

98. In India itself, accused by Pakistan of human rights violations, the people had suffered because of terrorist acts inspired and abetted by Pakistan. In Bombay, in March 1993, a series of time bombs had exploded all over the city and had claimed a heavy toll in human life and property. The perpetrators of those acts were currently in Pakistan.

99. In the face of that violence, the Indian Government was committed to peacefully resolving problems and exercising considerable restraint, as had been demonstrated by the surrender, after 33 days of siege, of the terrorists who had seized the Hazrat Bal mosque. It was pertinent to note that Pakistan was in no position to give anybody lessons about human rights. Indeed, since the first days of its independence, Pakistan had indulged in a comprehensive ethnic cleansing of its own religious minorities. Between 1941 and 1991, the Hindu population in Pakistan, victim of a system of constitutional apartheid, had declined by two thirds. Other ethnic groups such as the Sindhis, Baluchis and Pashtoons also suffered under that system. While it had been generous of Pakistan to accept a few dozen Bosnian refugees, that spirit did not seem to apply when it came to allowing the 250,000 Muslim citizens of Pakistan, the Biharis, who had been languishing in miserable conditions in refugee camps, to return to their motherland.

100. Using the guise of its concern for human rights, Pakistan had made an unsuccessful effort during the forty-eighth session of the General Assembly, to get the Third Committee to pronounce itself on the situation in the State of Jammu and Kashmir, which was an integral part of India. His delegation had maintained throughout that bilateral issues between India and Pakistan should be resolved through negotiations as stipulated in the Simla Agreement of 1972. It was glad that good sense had prevailed in the end and that moves to draw up a resolution on Jammu and Kashmir had been abandoned. His delegation was convinced that the discussions scheduled to be held between India and Pakistan in early 1994 would lead to the normalization of relations between the two countries.

101. Mr. SHAMBOS (Cyprus), speaking on agenda items 114 (b) and (c) and 172, said that the major changes that had occurred in the world in recent years had spawned an optimism that recent events, in particular the growing plague of extreme nationalism and the vicious conflicts within the borders of States, had shown to be hardly justifiable. Nevertheless, the decisiveness displayed by the Security Council on several occasions and the ever-expanding role of the United Nations augured well for a climate of reconciliation that would pave the way for the peaceful settlement of long-standing regional and international conflicts.

102. Cyprus welcomed the special attention focused on children by the Vienna Declaration and Programme of Action and the ratification, by 152 States, of the Convention on the Rights of the Child. The inclusion of an item on children in armed conflicts in the agenda of the General Assembly was both appropriate and timely.

103. The international community expected much from the strengthening of human rights mechanisms and the rationalization of their work. In that connection, the recommendation by the World Conference on Human Rights concerning the establishment of the post of a High Commissioner for Human Rights was a welcome development. His delegation hoped that the Working Group responsible for establishing the mandate of the High Commissioner would submit its conclusions soon.

104. In the context of grave and widespread human rights violations, his delegation would once again like to draw the Third Committee's attention to the situation in Cyprus. As the Committee was aware, despite many United Nations resolutions calling for the withdrawal of the occupation forces and notwithstanding the appeal by the Meeting of the Heads of Government of the Commonwealth Countries held at Limassol, Cyprus, from 21 to 25 October 1993 for the speedy withdrawal from the Republic of Cyprus of all Turkish forces and settlers, the northern part of the island was still under occupation and the local population still suffered from the systematic violation of its rights. Nearly 200,000 Greek Cypriot refugees, forcibly uprooted from their homes, were systematically denied the right to return to their homes in flagrant violation of the provisions of the European Convention on Human Rights. Moreover, Turkey was trying to change the demographic structure of Cyprus. According to reliable estimates, the number of Turkish colonists was well over 85,000 and was swelling day by day while the indigenous Turkish Cypriots were compelled to leave occupied Cyprus. Those facts had been established during a fact-finding mission to Cyprus by the Rapporteur of the Committee on Migration, Refugees and Demography of the Council of Europe.

105. One of the most dramatic aspects of the Cypriot tragedy was the fate of Greek Cypriots in the occupied area. Despite the Vienna agreement, reached in 1975, regarding the status of the inhabitants in enclaved areas of the occupied territory, Greek Cypriots were denied all rights, including access to medical care and education, and their freedom of movement was restricted. According to a recent report of the Secretary-General, only a few hundred Greek Cypriots remained out of the 20,000 that had been living in the Karpas peninsula in 1974. Turkish settlers were occupying the land and houses of the displaced Cypriots

(Mr. Shambos, Cyprus)

and were receiving illegal property titles, all in violation of article 147 of the Geneva Convention and article 85 of its additional Protocol I of 1977. The Turkish side was brazenly destroying and plundering the cultural heritage of the occupied area, even going so far as to altering its historic face through toponymic changes.

106. All of that paled beside the interminable sufferings caused by the disappearance of 1,619 persons who had not been heard of for 19 years. In spite of the adoption by the United Nations of several resolutions on that problem and the establishment of the Committee on Missing Persons in Cyprus in 1981, no information had ever been obtained regarding any of those individuals. His delegation reaffirmed the Government's determination to fully cooperate with the Secretary-General and his representatives in the effort to ascertain the fate of missing persons in Cyprus. It hoped that the Turkish side would show the same constructive attitude and would allow the Committee on Missing Persons in Cyprus to proceed with its humanitarian work without further delay.

107. Mr. VASSILAKIS (Greece), speaking under agenda items 114 (b) and (c), said that his delegation fully supported the statement of the representative of Belgium, made on behalf of the European Union. All of the changes that had occurred in recent years had a common denominator: the thirst for freedom. The winds of democracy sweeping the planet had caused old walls and old regimes to fall. It was the thirst for freedom, democracy and respect for human rights that explained the success of the World Conference on Human Rights in Vienna and had made possible the adoption, at that Conference, of the Vienna Declaration and Programme of Action, which, as the Secretary-General had said, presented a new vision for human rights into the next century.

108. It was therefore with regret that his delegation felt forced to address the case of human rights violations in Cyprus, where its hopes for a political settlement during the year had not been fulfilled. Turkey refused to adopt measures to allow the Cypriot population to enjoy its fundamental rights. In Cyprus, the wall, referred to as the "green line", separating the two communities had remained standing since the Turkish invasion in 1974, and Turkey continued to occupy 40 per cent of the island's territory, the demographic structure of which it was determined to alter by carrying out massive transfers of settlers in the occupied areas. Approximately 200,000 Greek Cypriots had been forced to move from the northern part of the island to the south, their homes and their belongings had been turned over to Turkish settlers, numbering 80,000, while the Turkish Cypriots themselves had been forced to emigrate by the thousands to avoid oppression by the Turkish occupying forces. The Greek Cypriots who lived in the enclaved areas of the occupied part of the island had suffered such oppression that their number, at present, had been reduced to 554, as compared to 22,000 in 1974. Furthermore, owing to the unwillingness of Turkey to cooperate, there had still been no news regarding the 1,619 persons reported missing since the invasion of the island. In addition to those violations, there had been systematic plundering of the cultural heritage of the occupied Cypriot territory, where Turkish forces had gone so far as to change the geographical names in an attempt to erase the history of the island.

(Mr. Vassilakis, Greece)

109. His delegation believed that the international community, through the Security Council, should demand with greater force the implementation of all relevant resolutions calling for the withdrawal of the Turkish occupying forces and settlers from Cyprus and for respect of the fundamental rights of the Cypriot people. His delegation attached special importance to the efforts being deployed by the Secretary-General and hoped that his action would allow soon for both the Greek and Turkish communities of the island to enjoy their rights fully.

110. Mr. AL-DOURI (Iraq), speaking in exercise of the right of reply, recalled that the representatives of Australia and Canada, in their statements, had launched attacks against Iraq. His delegation was not overly surprised by that, since it was well aware that the issue of human rights had become a political weapon, especially since the collapse of the Soviet Union. At the instigation of the United States, the countries of the West were determined to present a distorted picture of Iraq. It was more difficult to comprehend the attitude of small countries, such as Hungary, Romania and Bulgaria, which had also criticized Iraq on the issue of human rights. His delegation deplored the conduct of those countries, which it would have expected to show more impartiality and to base their attitudes on facts. One wondered whether the deliberate anti-Iraq attitude they had adopted was not the price they were paying to the emirs of the Gulf in exchange for the latter's generosity. In that case, their attitude was understandable, even though it was the Iraqi people who were suffering the consequences of it, which was all the more unjust because they were already the victims of an iniquitous embargo. The issue of human rights was a sacred one and his delegation deplored the fact that it had given rise to such dealings. As to the comments of the representative of Kuwait, he would not demean himself to respond.

111. Mr. LIU Zhenmin (China), speaking in exercise of the right of reply, recalled that the representative of Canada, in his statement, had unjustly attacked China. There was nothing new in that, other than the fact that there was a marked growing tendency on the part of certain countries, such as Canada, the United States and the member States of the European Community to politicize the issue of human rights and to use it to interfere in the affairs of other countries. China had already said in a previous statement that it deemed such behaviour totally unacceptable.

112. Mr. Hong Jae IM (Republic of Korea), said that one of the previous speakers had referred in his statement to the question of the sexual exploitation of Korean women by Japan during the Second World War. Since that issue concerned the Republic of Korea, his delegation wished to clarify its position on the matter. Recently, Japan had recognized the facts and had presented its excuses to the Government of the Republic of Korea. That constituted a change in attitude of which the Republic of Korea had taken note. However, Japan should undertake an in-depth study of the systematic violations of rights to which Korean women had been subjected during the Second World War. In that regard, the Republic of Korea welcomed the fact that the Subcommission on Prevention of Discrimination and Protection of Minorities had appointed Mrs. Linda Chavez as Special Rapporteur on that question.

113. Mr. UMER (Pakistan), speaking in exercise of the right of reply, said that the policy of genocide that India was conducting in Jammu and Kashmir totally contradicted the grandiloquent statements in which its representative on the Third Committee had depicted his country as the country of tolerance inherited from Ghandi. There were numerous accounts of the extreme brutality used by Indian forces against the inhabitants of Jammu and Kashmir. The International Federation of Human Rights had denounced the truly inhumane methods of repression used in that part of the world by a country that claimed to be the largest democracy in the world, a country that still practised the hateful caste system. The Indian representatives' claim that the problems in Jammu and Kashmir had been caused by terrorists assisted and financed by Pakistan was baseless. It was the well-worn argument used by the occupying forces for propaganda purposes. The fact that India had denied observers from the international community access to Jammu and Kashmir robbed that argument of its validity, Even the Indian press had recognized the oppression to which the inhabitants of Jammu and Kashmir were subjected by the Indian occupying forces. Thus, in an article dated 29 October 1993, the Indian Commentator stated that the only way for India to redeem its behaviour in Jammu and Kashmir was to allow the inhabitants of that territory to determine their future freely.

The meeting rose at 9.15 p.m.